



August 4, 2008

Mr. Phil Isenberg
Chair, Delta Vision Blue Ribbon Task Force
650 Capitol Mall
Sacramento, CA 95814

Re: Delta Vision Strategic Plan – Second Staff Draft, July 11, 2008

Dear Mr. Isenberg:

I am writing to you on behalf of the City of Antioch. As you are aware, Antioch is very interested in the Delta Vision process and its outcome. The City has some of the oldest and highest priority water rights in the Delta. Antioch's municipal water supply depends on these rights and the quality of fresh water in the area. It is enlightening to see the 1873 map of the Delta (at Figure 3) included with the Draft Delta Vision Strategic Plan ("Plan") reflects this history by showing Antioch prominently.

With this background in mind, Antioch would like to take this opportunity to provide comments on the Plan. Some ideas and proposals Antioch supports within the Plan (at least in concept) include:

- Increased Delta outflows (e.g. Strategy 5, Action 5.1).
- Water supply reliability for all users – including in-delta users.
- Funded re-locations of in-delta diversions if necessary to protect the water quality of those diversions (e.g. action items 9.4 and 9.5).
- The "Delta as Place" concept.
- Proposals to increase water conservation and promote the use of treated water (e.g. action items 7.5 and 7.6).
- Promoting regional self-sufficiency with respect to water use.
- Preservation and restoration of the environment and the fisheries within the Delta.

However, Antioch has some concerns about the Plan as well. These concerns include:

- Lack of reduced diversion scenarios for the State and Federal Water Projects. Both the BDCP and the PPIC processes promote plans in one form or another to export from the Delta a combined maximum of up to 15,000 cfs of water – primarily by way of an upstream out-of-Delta conveyance facility. What is absent from these scenarios is an analysis of the corresponding impacts to the environment and in-Delta users from increased exports.

Antioch is additionally concerned about how there can be an export of up to 15,000 cfs from the Delta under the Plan while at the same time maintaining sufficient water for the projected Delta outflows mentioned in the Plan. As others have noted, there seems to be an assumption that the need for a reliable water supply can only be achieved by intercepting even more Delta inflow (see for example the July 1, 2008 letter to the Delta Vision Task Force from the South Delta Water Agency). Lack of inflow is the major problem contributing to the decline of the Delta and it is difficult to understand how any Plan that anticipates increased Delta exports could resolve any of the present problems.

- Absence of any meaningful discussion and data regarding the impacts from an out-of-Delta conveyance facility upstream of the Delta on the Sacramento River – regardless of export amounts. The primary method being discussed in the various Delta related processes to increase exports is a peripheral canal with an intake located near Hood on the Sacramento River. Initial modeling in the BDCP process indicates the potential for significant increases in salinity in the western Delta. However, there is no data or proposed study that Antioch is aware of showing the corresponding impacts to in-Delta beneficial uses and the environment.

This lack of data is critical and an important point to understand. Antioch has been able to take water from the Delta at its present location for approximately 150 years. Upstream projects have significantly impacted Antioch's water quality over the years; however, Antioch has still been able divert water during most years. The increased levels of salinity being predicted as part of the modeling process of the BDCP would prevent Antioch from diverting

water the first time in almost 150 years. Not only does this raise the question of impacts to Antioch, but to the environment as well. Raising salinity at Antioch changes the fundamental hydrology of the Delta over the last 150 years – and yet, there is no study or data indicating the impacts to the environment, fisheries, or local economies (e.g. the change from a freshwater based economy to salt water based economy). Preserving the “Delta as Place” cannot be accomplished by fundamentally destroying a significant part of it.

- Absence of sufficient discussion and data relating to potential impacts to beneficial uses downstream of Jersey Point and Emmaton from any of the proposals in the Plan (long-term or near-term). Historically, water downstream of these points was much fresher than it is today (see for example Contra Costa Water District’s letter of August 14, 2007).
- Lack of discussion and data relating to impacts of increased San Joaquin River flows in the absence of Sacramento River flows diverted upstream at Hood. Increased San Joaquin River flows could potentially worsen Antioch’s water quality. Salinity levels in San Joaquin River flows appear too high for municipal purposes even with increased river flows. It is doubtful that the historic San Joaquin River flows could be restored in such a manner to be of much benefit to Antioch and the western Delta given that the hydrology of that river system is so fundamentally changed. Some proposals Antioch has seen attempting to replace Sacramento River water with increased San Joaquin River flows indicate the potential for higher salinity levels at Antioch and throughout the western Delta *in the absence of* corresponding Sacramento River flows. In addition, San Joaquin River flows would not carry the velocity and volume of water necessary to maintain the natural hydrologic barrier downstream of Antioch. Simply put the Delta critically needs Sacramento River flows.
- Antioch has concerns regarding certain aspects of the proposed governance structure. In particular, the lack (or loss) of local in-Delta control within the Plan concerns Antioch. While the Plan anticipates some local input into governance, there appears to be little to no authority or control over major decisions by local governments.

- Lack of specifics as to which in-Delta diversions would be re-located and as to where they would be re-located as part of the Plan.

In order to address some of Antioch's concerns, Antioch proposes the following:

- The Plan must set forth in detail how increased Delta outflow will be accomplished if an out-of-Delta conveyance facility is constructed and if exports are increased to 15,000 cfs. Alternatively, the Plan should include the option of reduced exports in order to maintain adequate Delta inflows.
- The Plan must establish criteria and performance measures for maintaining municipal water quality at Antioch and maintaining the hydrologic barrier between salt and fresh water downstream of Antioch. Water quality benchmarks (e.g. Emmaton and Jersey Point) should be re-established downstream of Antioch.
- The Plan must require studies regarding the environmental and economic impacts from an out-of-Delta conveyance facility and/or increased exports.
- The Plan must identify specific in-Delta facilities that are anticipated to be relocated and discuss in sufficient detail how (e.g. financially) and where those in-Delta facilities will be relocated. The Plan should establish water quality criteria and performance measures to ensure any re-located facility can continue to provide water of suitable quality for domestic uses.
- Water rights priorities should be specifically recognized in the context of any discussion of public trust and reasonable use (see for example the November 29, 2007 letter from Modesto Irrigation District to the Delta Vision Blue Ribbon Panel regarding the relationship of priority to the public trust and reasonable use).
- Some form of representative governance (including in-Delta representation) should be a vital part of the Plan to avoid a regulatory autocracy and divest in-Delta users of their rights and heritage.

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Thank you for allowing us this opportunity to provide preliminary comments on the Plan. The City understands the task you have before you is difficult and the need for solutions vital to the health of the Delta. We look forward to working with the Blue Ribbon Task Force in developing the Plan.

Very truly yours,

A handwritten signature in cursive script, appearing to read "P. Harrington".

Phillip L. Harrington
Director of Capital Improvements,
Water Rights

C: Mayor and City Council
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